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BIRCH STEWART KOLASCH & BIRCH  
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In re Application of	:	
KIM et al.	:	
Application No.: 10/530,749	:	DECISION
PCT No.: PCT/KR03/00576	:	
Int. Filing Date: 24 March 2003	:	
Priority Date: 10 September 2002	:	
Attorney Docket No.: 0630-2291PUS1	:	
For: HERMETIC COMPRESSOR	:	

This decision is in response to applicants' submission filed 23 November 2005.

### **BACKGROUND**

On 24 March 2003, applicants filed international application PCT/KR03/00576 which designated the U.S. and claimed a priority date of 10 September 2002. A copy of the international application was communicated to the United States Patent and Trademark Office (USPTO) from the International Bureau on 25 March 2004. The thirty-month period for paying the basic national fee in the United States expired at midnight on 10 March 2005.

On 08 April 2005, applicants filed a transmittal letter for entry into the national stage in the United States, which was accompanied by, *inter alia*, the basic national fee, a declaration of inventors, and a petition under 37 CFR 1.137(b) to revive the application.

On 28 September 2005, a decision was mailed granting applicants' petition under 37 CFR 1.137(b). The petition also indicated that the declaration of inventors filed 08 April 2005 is not in compliance with 37 CFR 1.497(a)-(b) because (1) there was a difference in names in the second named inventor between the published international application (O-Sup Kwon) and the declaration of inventors (O-Sub Kwon) and it was not clear what is being executed—the declaration indicates that the specification filed 10 September 2002 as International Application Number PCT/KR03/00576 is being executed, however, the filing date of that International Application Number is 24 March 2003 rather than 10 September 2002.

On 23 November 2005, applicants filed the instant submission which included, *inter alia*, a Supplemental Application Data Sheet.

**DISCUSSION**

The explanation regarding the name of the second named inventor is accepted. The explanation regarding the filing date of the international application indicated on the declaration of inventors is also accepted. The declaration filed 08 April 2005 is in compliance with 37 CFR 1.497(a)-(b).

**CONCLUSION**

Please direct further correspondence with respect to this matter to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

This application is being forwarded to the National Stage Processing Branch of the Office of PCT Operations to continue national stage processing of the application.



Daniel Stemmer

Legal Examiner

PCT Legal Affairs

Office of Patent Cooperation Treaty

Legal Administration

Telephone: (571) 272-3301

Facsimile: (571) 273-0459